

JAN 02 2024

**THE UNITED STATES DISTRICT COURT
OF NORTH CAROLINA WESTERN DIVISION**

US DISTRICT COURT
WESTERN DISTRICT OF NC

CIVIL ACTION NO.3:23-cv-00647-RJC-DCK

Craig and Joyce Mesick
and/on behalf of minor child H.M

Plaintiffs

v.

North Carolina State Board of Education
by and individually Catherine Truitt,
Union County Board of Education by and
individually, Andrew Houlihan and
Individually Laura Beachum and
Sarah Staley, Hillary Kroboth
NC OAH by and Individually
Donald Van Ver Vaart

Defendants

**Motion for Extension to Respond
Objection to counsel Indv. defendants
Motion to Enforce Retainer Agreement
Motion to approve Pro Hac Vice
Motion to Produce Insurance/Bond**

Motion for Extension to Respond

Many of the pleadings filed are moot, null and void until the following Motions are addressed.

Plaintiff Motion for an extension to respond because of some procedural violations by the
Agencies and individual defendants representation.

Additionally there have been health complications for the student H.M who has had 2 emergency
room visits this past week as well as surgery scheduled within the next 2 weeks.

**Objection to Counsel for Catherine Truitt, Andrew Houlihan, Laura Beachum, Hillary Kroboth
and Donald Van Ver Vaart.**

Plaintiff Objects to counsel of Individual Staff from Union county Public Schools, Laura Beachum, Andrew Houlihan, Sarah Staley and Hillary Kroboth. Plaintiff objects to counsel for Don Van Ver Vaart from the OAH, and Catherine Truitt from the North Carolina Board of Education.

1. These individual defendants under Section 1983, are being sued under their own personal liability and responsibility. It is not the taxpayers responsibility to supply a defense attorney for them. If school staff had a Teachers union, an attorney would have been supplied for those defendants separate and apart from the district. However, because the state of NC forbids Unions, they must now pay out of their own pockets. If they hold professional insurance, the plaintiffs ask for a certified copy at this time.

2. Additionally, Catherine Truitt is an elected official who must hold a public servant bond. It is at this time the plaintiff requests a copy of her signed oath of office as well as a copy of her public servants insurance bond. Donald Van Ver Vaart, in his individual supervisory role failed to intervene when the Timelines to complete the DPH were completely disregarded.

3. Lastly, It is a conflict of interest for counsel to defend both the Agency and Individual liability for the NCBOE, OAH and UCBOE.

Motion to Enforce Production.

Plaintiff requested counsel to receive the retainer agreement for the individual defendants from UCBOE. Counsel has yet to provide that. At this time we Motion to enforce production of the retainer agreement as well as the transaction itself, or proof of payment from each individual defendant.

A Motion to enforce production of the retainer agreement and proof of payment for the individual defendants are also requested for Catherine Truitt, and Donald Van Ver Vaart.

Not providing those documents makes the Motion to Dismiss moot null and void as their pleading was not filed appropriately or by appropriate legal counsel or pro se'.

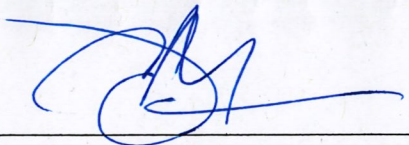
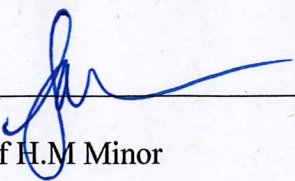
Motion to approve Pro Hac Vice

In the original and amended complaint, it was shared that the plaintiffs father is a licensed attorney in NJ and has vast experience within the circuit courts and SCOTUS. Plaintiffs have not been able to obtain a local sponsor for this case. We request the court to appoint a sponsor for this case in order to allow Richard Weber esq. to represent his granddaughter, daughter and son-in-law. This makes the Motion to dismiss Moot null and void.

Motion to Produce Individual Professional Insurance policy or Public Servant Bond

It is at this time plaintiffs motion for all defendants to produce a copy of their individual professional insurance policy and or Public servant Bonds.

Signed this Day December 27th, 2023,

X  X 

Craig and Joyce Mesick and/on behalf of H.M Minor
117 Primrose Way, Waxhaw NC

